IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

JUDGMENT

SB CIVIL MISC. APPEAL NO.1305/2006
Tejpal V/s Mohan Joshi & Ors.

31.8.2006

PRESENT
HON'BLE MR. JUSTICE P.S. ASOPA

Mr.Amit Singh Shekhawat, for the appellant.

This is an appeal for enhancement of compensation against the award dated 16.12.2005 in MAC case No.574/2005 passed by MACT cum Additional District Judge (Fast Track) No.2, Sikar.

The facts, in brief, of the case are that the appellant was crossing the road near Manda turn, suddenly a Maruti Car No.HR-51-B-2377 hit the appellant, due to which, the appellant sustained injuries.

The Claims Tribunal after taking into consideration the entire evidence on record came to the conclusion that there is 3% disability on account of injuries received by the appellant and awarded Rs.3000/- for medical expenses, Rs.10,000/- for physical pain and mental agony, Rs.10,000/- for loss of income, Rs.3,000/- for nutritious food and Rs.3,000/- for loss of income on account of

permanent disability. In all Rs.29,000/- has been awarded.

The submission of counsel for the appellant is that the amount awarded for loss of earning on account of permanent disability is on lower side.

I have gone through the award of the Tribunal and am of the view that the Claims Tribunal has rightly assessed Rs.3000/- for loss of earning and further the amount awarded on various heads is just, legal and proper. No interference is called for.

The appeal has no force and is dismissed.

(P.S. ASOPA) J.

ummed/-